

MARK B. MUMLEY,
Plaintiff

File No. 1:06-CV-137

ORDER

The defendants' motion to dismiss (Paper 119) is GRANTED. Plaintiff's motion for protective order (Paper 120) is DENIED. This case is DISMISSED with prejudice.

It is further certified that any appeal taken in in forma pauperis from this Order would not be taken in good faith because such an appeal would be frivolous. See 28 U.S.C. § 1915(a)(3).

SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 17th day of March, 2009.

/s/ J. Garvan Murtha
Honorable J. Garvan Murtha
United States District Judge